

City of Fitchburg

Feb 24 2022 10:09 am

In City Council, _____

ORDERED:-- That

The Honorable Mayor Stephen DiNatale is authorized on behalf of the City of Fitchburg to execute the attached Memorandum of Agreement.

Whereas; The City of Fitchburg and the Twin Cities Rail Trail Association look forward to the completion of Phase I of the new Twin Cities Rail Trail in the spring of 2022, and;

Whereas; The City of Fitchburg and the Twin Cities Rail Trail Association recognize the importance of maintaining this new trail in good and safe condition for all residents and visitors to our region to enjoy, and;

Whereas; The Twin Cities Rail Trail Association has been advocating for the creation and maintenance of this trail for nearly 20 years, and;

Whereas; To achieve these common goals, the parties recognize the importance of collaboration to ensure that all necessary tasks are addressed in a timely and effective manner;

NOW THEREFORE, BE IT AGREED THAT:

The City of Fitchburg and the Twin Cities Rail Trail Association (hereinafter "TCRTA") do hereby agree to the roles and responsibilities of each party as outlined on the attached MOU.

Memorandum of Agreement
By and Between the Cities of Fitchburg and Leominster, and
The Twin Cities Rail Trail Association

Whereas; The Cities of Fitchburg and Leominster and the Twin Cities Rail Trail Association look forward to the completion of Phase I of the new Twin Cities Rail Trail in the spring of 2022, and;

Whereas; The Cities of Fitchburg and Leominster and the Twin Cities Rail Trail Association recognize the importance of maintaining this new trail in good and safe condition for all residents and visitors to our region to enjoy, and;

Whereas; The Twin Cities Rail Trail Association has been advocating for the creation and maintenance of this trail for nearly 20 years, and;

Whereas; To achieve these common goals, the parties recognize the importance of collaboration to ensure that all necessary tasks are addressed in a timely and effective manner;

NOW THEREFORE, BE IT AGREED THAT:

The Cities of Fitchburg and Leominster (hereinafter the "Cities") and the Twin Cities Rail Trail Association (hereinafter "TCRTA") do hereby agree as follows with respect to the roles and responsibilities of each party:

The TCRTA hereby agrees as follows (subject to the availability of funds and in cooperation with the Cities):

- To ensure regular mowing of an approximately three-foot wide grass strip on either side of the trail throughout the season.
- To control vegetative growth beyond the mower strip in order to maintain clear sight lines along the trail and a pleasant natural appearance.
- To conduct regular volunteer trash pickups to keep the trail safe, promote a pleasant appearance, and maintain an enjoyable experience for users.
- To remove all unwanted graffiti as soon as practicable from the trail.
- To ensure removal of downed and other hazard trees threatening the integrity and safe use of the trail and its users.
- To work in close cooperation with all city departments, including the Public Works, Police, and Health departments in ensuring that the trail remains safe and welcoming for all its users.
- To coordinate plowing of the trail in winter if the Cities and the Association agree that the trail should be maintained throughout the year.
- To approve and coordinate any special events to be held on the trail, including but not limited to walks, races, rides, etc.
- To establish, with notification to and in cooperation with the Cities, regular rules of operation.
- To provide all records and other information regarding its use of trail funding and its activities to the Cities on request.

The Cities hereby agree as follows:

- To ensure regular rubbish removal at all designated trash receptacles located on the trail in the Cities.
- To assist with supplies and trash disposal for periodic "clean up days".
- To support and assist the TCRTA in its efforts to raise funds in support of the TCRTA Maintenance Fund.
- To deposit all applicable revenues obtained through its ownership of the land purchased for the Twin Cities Rail Trail into the TCRTA Maintenance Fund.
- To grant to the TCRTA the right to establish rules of operation for trail use and to make physical improvements to the trail in consultation and cooperation with each city's Department of Public Works. Such improvements include, but may not be limited to, placement of bike repair stations, signage, notices, artwork, and the repair of any damage to the trail.

Effective, this day of _____, 2022

For the City of Leominster, by its Mayor

Dean J. Mazzarella

For the City of Fitchburg, by its Mayor

Stephen L. DiNatale

For the Twin Cities Rail Trail Association, by its Chair
